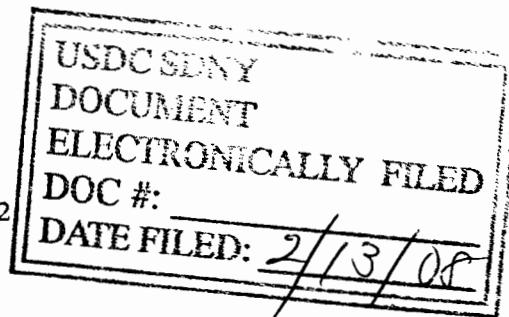


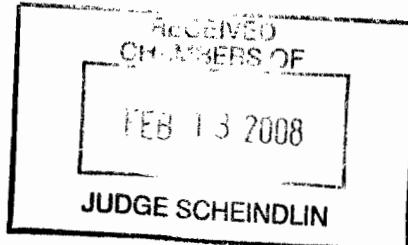
# SACK & SACK

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**Eric R. Stern**  
 ext.: 209  
 e-mail: EStern@SackandSack.com

February 13, 2008



**BY FAX TO:** (212) 805-7920  
 Honorable Shira A. Scheindlin  
 United States District Judge  
 Daniel Patrick Moynihan  
 United States Courthouse  
 500 Pearl Street, Room 1620  
 New York, New York 10007

Re: **Jean P. Simon, MD v. UNUM, et al**  
Index No. 07-CV-60385 (SAS)

Dear Judge Scheindlin:

We represent the Plaintiff in the referenced matter. We write to respectfully request an adjournment of the Initial Pretrial Conference currently scheduled for Friday, February 15, 2008 at 4:30 pm. This is Plaintiff's second request for such an adjournment. Defendants' Counsel consents to this request.

We respectfully request an adjournment because of the observance of the Jewish Sabbath. On that date, the Sabbath begins at 5:12 pm. Accordingly, we respectfully inform the Court that we are available for a morning conference on that date, February 15, 2008, or any other day of the week (except Friday afternoons).

Very truly yours,

Eric R. Stern

ERS/br

CC: VIA FAX TO: (212) 244-6200  
 Andrew I. Hamelsky  
 White and Williams, LLP  
 One Penn Plaza, 18<sup>th</sup> Floor, Suite 1801  
 New York, New York 10119

DATE: Feb. 13,  
 2008

Plaintiff's request is granted. The conference previously scheduled for Feb 15, 2008, ~~is~~ is adjourned to Feb. 19, 2008, at 4:00 p.m.

*Shira A. Scheindlin, USDC*